

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 139, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1738 on May 28, 2015: Yeas 141, Nays 1, 2 present, not voting; passed by the Senate, with amendments, on May 26, 2015: Yeas 31, Nays 0.

Filed without signature June 18, 2015.

Effective June 18, 2015.

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**PAYMENT IN CERTAIN COUNTIES OF EXPENSES  
ASSOCIATED WITH THE TRANSPORTATION OF SENIOR  
CITIZENS AND THEIR CAREGIVERS FOR CIVIC,  
COMMUNITY, EDUCATIONAL, AND RECREATIONAL  
ACTIVITIES**

**CHAPTER 865**

H.B. No. 1929

**AN ACT**

**relating to the payment in certain counties of expenses associated with the transportation of senior citizens and their caregivers for civic, community, educational, and recreational activities.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 615.022, Local Government Code, is amended to read as follows:

Sec. 615.022. TRANSPORTATION EXPENSES OF CERTAIN COUNTIES FOR SENIOR CITIZENS. The commissioners court of a county with a population of 2.2 [2.3] million or more may pay out of the county general funds costs and expenses for the transportation of senior citizens *and their caregivers* for civic, community, educational, and recreational activities within and outside the county *if a majority of the costs and expenses paid are for the transportation of senior citizens*.

SECTION 2. This Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 99, Nays 39, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1929 on May 27, 2015: Yeas 121, Nays 15, 3 present, not voting; passed by the Senate, with amendments, on May 24, 2015: Yeas 24, Nays 6.

Filed without signature June 18, 2015.

Effective September 1, 2015.

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**CREATION OF THE FULSHEAR MUNICIPAL UTILITY  
DISTRICTS NOS. 4, 5, AND 6; GRANTING A LIMITED POWER  
OF EMINENT DOMAIN; PROVIDING AUTHORITY TO ISSUE  
BONDS; PROVIDING AUTHORITY TO IMPOSE  
ASSESSMENTS, FEES, AND TAXES**

**CHAPTER 866**

H.B. No. 2091

**AN ACT**

**relating to the creation of the Fulshear Municipal Utility Districts Nos. 4, 5, and 6; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.**

*Be it enacted by the Legislature of the State of Texas:*

ARTICLE 1. CREATION OF MUNICIPAL UTILITY DISTRICTS

SECTION 1.01. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8494 to read as follows:

CHAPTER 8494. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 4

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8494.001. **DEFINITIONS.** *In this chapter:*

- (1) “Board” means the district’s board of directors.
- (2) “Commission” means the Texas Commission on Environmental Quality.
- (3) “Director” means a board member.
- (4) “District” means the Fulshear Municipal Utility District No. 4.

Sec. 8494.002. **NATURE OF DISTRICT.** *The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.*

Sec. 8494.003. **CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED.** *The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.*

Sec. 8494.004. **CONSENT OF MUNICIPALITY REQUIRED.** *The temporary directors may not hold an election under Section 8494.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.*

Sec. 8494.005. **FINDINGS OF PUBLIC PURPOSE AND BENEFIT.** (a) *The district is created to serve a public purpose and benefit.*

(b) *The district is created to accomplish the purposes of:*

- (1) *a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and*
- (2) *Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.*

Sec. 8494.006. **INITIAL DISTRICT TERRITORY.** (a) *The district is initially composed of the territory described by Section 2.01 of the Act enacting this chapter.*

(b) *The boundaries and field notes contained in Section 2.01 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district’s:*

- (1) *organization, existence, or validity;*
- (2) *right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;*
- (3) *right to impose a tax; or*
- (4) *legality or operation.*

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8494.051. **GOVERNING BODY; TERMS.** (a) *The district is governed by a board of five elected directors.*

(b) *Except as provided by Section 8494.052, directors serve staggered four-year terms.*

*Sec. 8494.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.*

*(b) Temporary directors serve until the earlier of the date permanent directors are elected under Section 8494.003 or September 1, 2019.*

*(c) If permanent directors have not been elected under Section 8494.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:*

*(1) the date permanent directors are elected under Section 8494.003; or*

*(2) the fourth anniversary of the date of the appointment or reappointment.*

*(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.*

#### SUBCHAPTER C. POWERS AND DUTIES

*Sec. 8494.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.*

*Sec. 8494.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.*

*Sec. 8494.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.*

*Sec. 8494.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.*

*(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.*

*(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.*

*Sec. 8494.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. (a) Except as provided by this section, the district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.*

*(b) Section 54.016(f), Water Code, does not apply to the district.*

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

*Sec. 8494.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:*

*(1) revenue other than ad valorem taxes; or*

*(2) contract payments described by Section 8494.153.*

(b) *The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.*

(c) *The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.*

**Sec. 8494.152. OPERATION AND MAINTENANCE TAX.** (a) *If authorized at an election held under Section 8494.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.*

(b) *The board shall determine the tax rate. The rate may not exceed the rate approved at the election.*

**Sec. 8494.153. CONTRACT TAXES.** (a) *In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.*

(b) *A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.*

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

**Sec. 8494.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS.** *The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.*

**Sec. 8494.202. TAXES FOR BONDS.** *At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.*

**Sec. 8494.203. BONDS FOR ROAD PROJECTS.** *At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.*

**SECTION 1.02.** Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8495 to read as follows:

#### CHAPTER 8495. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5

##### SUBCHAPTER A. GENERAL PROVISIONS

**Sec. 8495.001. DEFINITIONS.** *In this chapter:*

- (1) *"Board" means the district's board of directors.*
- (2) *"Commission" means the Texas Commission on Environmental Quality.*
- (3) *"Director" means a board member.*
- (4) *"District" means the Fulshear Municipal Utility District No. 5.*

**Sec. 8495.002. NATURE OF DISTRICT.** *The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.*

**Sec. 8495.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED.** *The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.*

**Sec. 8495.004. CONSENT OF MUNICIPALITY REQUIRED.** *The temporary direc-*

tors may not hold an election under Section 8495.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

*Sec. 8495.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.*

*(b) The district is created to accomplish the purposes of:*

*(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and*

*(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.*

*Sec. 8495.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2.02 of the Act enacting this chapter.*

*(b) The boundaries and field notes contained in Section 2.02 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:*

*(1) organization, existence, or validity;*

*(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;*

*(3) right to impose a tax; or*

*(4) legality or operation.*

*Sec. 8495.007. ANNEXATION BY MUNICIPALITY. (a) Notwithstanding any other law, if all of the territory of the district is annexed by a municipality into the corporate limits of that municipality before the date of the election under Section 8495.003, the district may not be dissolved and shall continue until the district is dissolved under Section 43.074, Local Government Code.*

*(b) Section 54.016(f), Water Code, does not apply to the district.*

#### SUBCHAPTER B. BOARD OF DIRECTORS

*Sec. 8495.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.*

*(b) Except as provided by Section 8495.052, directors serve staggered four-year terms.*

*Sec. 8495.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.*

*(b) Temporary directors serve until the earlier of:*

*(1) the date permanent directors are elected under Section 8495.003; or*

*(2) September 1, 2019.*

*(c) If permanent directors have not been elected under Section 8495.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:*

*(1) the date permanent directors are elected under Section 8495.003; or*

*(2) the fourth anniversary of the date of the appointment or reappointment.*

*(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.*

## SUBCHAPTER C. POWERS AND DUTIES

*Sec. 8495.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.*

*Sec. 8495.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.*

*Sec. 8495.103. LEVEE IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapter 57, Water Code, applicable to levee improvement districts created under Section 59, Article XVI, Texas Constitution.*

*Sec. 8495.104. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads inside or outside the district.*

*Sec. 8495.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.*

*(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.*

*(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.*

*Sec. 8495.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.*

## SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

*Sec. 8495.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:*

- (1) revenue other than ad valorem taxes; or*
- (2) contract payments described by Section 8495.153.*

*(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.*

*(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.*

*Sec. 8495.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8495.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.*

*(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.*

*Sec. 8495.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.*

(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8495.201. *AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS.* The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8495.202. *TAXES FOR BONDS.* At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8495.203. *BONDS FOR ROAD PROJECTS.* At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 1.03. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8496 to read as follows:

#### CHAPTER 8496. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6

##### SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8496.001. *DEFINITIONS.* In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Fulshear Municipal Utility District No. 6.

Sec. 8496.002. *NATURE OF DISTRICT.* The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8496.003. *CONFIRMATION AND DIRECTORS' ELECTION REQUIRED.* The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8496.004. *CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED.* The temporary directors may not hold an election under Section 8496.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has:

- (1) consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district; and
- (2) entered into a development agreement under Section 212.172, Local Government Code, with the owners of the land described by Section 2.03 of the Act enacting this chapter.

Sec. 8496.005. *FINDINGS OF PUBLIC PURPOSE AND BENEFIT.* (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

- (1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and
- (2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

*Sec. 8496.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2.03 of the Act enacting this chapter.*

*(b) The boundaries and field notes contained in Section 2.03 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:*

- (1) organization, existence, or validity;*
- (2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;*
- (3) right to impose a tax; or*
- (4) legality or operation.*

*Sec. 8496.007. ANNEXATION BY MUNICIPALITY. (a) Notwithstanding any other law, if all of the territory of the district is annexed by a municipality into the corporate limits of that municipality before the date of the election under Section 8496.003, the district may not be dissolved and shall continue until the district is dissolved under Section 43.074, Local Government Code.*

*(b) Section 54.016(f), Water Code, does not apply to the district.*

#### **SUBCHAPTER B. BOARD OF DIRECTORS**

*Sec. 8496.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.*

*(b) Except as provided by Section 8496.052, directors serve staggered four-year terms.*

*Sec. 8496.052. TEMPORARY DIRECTORS. (a) On or after September 1, 2015, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.*

*(b) Temporary directors serve until the earlier of:*

- (1) the date permanent directors are elected under Section 8496.003; or*
- (2) September 1, 2019.*

*(c) If permanent directors have not been elected under Section 8496.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:*

- (1) the date permanent directors are elected under Section 8496.003; or*
- (2) the fourth anniversary of the date of the appointment or reappointment.*

*(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.*

#### **SUBCHAPTER C. POWERS AND DUTIES**

*Sec. 8496.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.*

*Sec. 8496.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.*

*Sec. 8496.103. LEVEE IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapter 57, Water Code, applicable to levee improvement districts created under Section*



59, Article XVI, Texas Constitution.

*Sec. 8496.104. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads inside or outside the district.*

*Sec. 8496.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.*

*(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.*

*(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.*

*Sec. 8496.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.*

#### SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

*Sec. 8496.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:*

*(1) revenue other than ad valorem taxes; or*

*(2) contract payments described by Section 8496.153.*

*(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.*

*(c) The district may not issue bonds payable from ad valorem taxes to finance a road project unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election held for that purpose.*

*Sec. 8496.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8496.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.*

*(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.*

*Sec. 8496.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.*

*(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.*

#### SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

*Sec. 8496.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.*

*Sec. 8496.202. TAXES FOR BONDS. At the time the district issues bonds payable*

*wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.*

*Sec. 8496.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.*

## ARTICLE 2. METES AND BOUNDS

**SECTION 2.01. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 4.** The Fulshear Municipal Utility District No. 4 initially includes all the territory contained in the following area:

A Field Note Description of 227.024 Acres of Land, being the same call 227.08 Acre Tract of Land (Volume 1376, Page 598; Deed Records of Fort Bend County, Texas), and being out of the original W.J. Walker, Jr. call 318.91 Acre Tract in the David Randon & I. Pennington League, Abstract No. 75, Fort Bend County, Texas.

For Connection Begin at the Northeast corner of said David Randon & I. Pennington League, Abstract No. 75; THENCE, Call South 00deg.22'30" West, 2653.0 feet to a 5/8 inch capped iron rod stamped "1535-4035" set marking the Northeast corner of and place of beginning for this tract;

THENCE, South 00deg.17'17" East, along a wire fence line, 2420.0 feet to a 1 inch iron pipe found marking the Southeast corner of this tract;

THENCE, North 89deg.59'30" West, along the North line of the ELLIS CATTLE COMPANY DIVISION (an unrecorded subdivision), at 297.6 feet pass a Seaway Pipeline (Enterprise), at 305.4 feet pass another Seaway Pipeline (Enterprise), at 330.1 feet pass the Exxon Pipeline, continuing along a fence line, at 3754.49 feet pass the Phillips Pipeline, at 3860.19 feet pass a 1 inch iron pipe found in the East right-of-way line of Bois D' Arc Lane (width varies), in all 3888.0 feet to a point in the center of said Bois D' Arc Lane marking the Southwest corner of this tract; said point also marks the Northwest corner of the Pamela Carr call 7.036 Acre Tract (FBC 2006054222)

THENCE, North 00deg.40'36" East, 2580.18 feet along a line is said Bois D' Arc Lane to a point marking the Northwest corner of this tract;

THENCE, South 89deg.59'38" East, at 30.26 feet pass a 1 inch iron pipe found in the East right-of-way line of said Bois D'Arc Lane, then along the South line of BOIS D'ARC ESTATE ACRES (an unrecorded subdivision), in all 2769.04 feet to a 1 inch iron pipe found marking an angle point;

THENCE, South 81deg.31'45" East, passing said Exxon Pipeline and two Seaway Pipelines (Enterprise), 1088.2 feet to the place of beginning and containing 227.024 Acres of Land, including 1.720 Acres in Bois d' Arc Lane, leaving a net of 225.304, Acres.

**SECTION 2.02. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 5.** The Fulshear Municipal Utility District No. 5 initially includes all the territory contained in the following area:

A FIELD NOTE DESCRIPTION of a 636.76 acre tract of land in the D. Randon & I. Pennington Survey, Abstract No. 75, and in the Churchill Fulshear Survey, Abstract No. 29, Fort Bend County, Texas; said 636.76 acre tract being that same called 635.1725 acre tract of land conveyed to Highland Management, Inc., as recorded in Volume 1438, Page 632 of the Fort Bend County Deed Records; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

COMMENCING FOR REFERENCE at a fence post found for the northeast corner of a called 514.321 acre tract conveyed to said Highland Management, Inc., as recorded in Volume 801, Page 410 of the Fort Bend County Deed Records;

THENCE, South 88° 42' 45" West—40.00 feet with the north line of said 514.321 acre

tract to a fence post broken off at ground level found for the southeast corner of a 200.013 acre tract of land conveyed to Highland Management, Inc., as recorded in Volume 1089, Page 165 of the Fort Bend County Deed Records;

THENCE, North 01° 12' 55" West—1,244.75 feet with the west right-of-way line of Montgomery Road and with the east line of said 200.013 acre tract to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an angle point;

THENCE, North 04° 04' 05" West—116.45 feet with the west right-of-way line of Montgomery Road and with the east line of said 200.013 acre tract to a TXDOT monument disk found corner;

THENCE, South 87° 26' 43" West—48.23 feet with the south line of a tract of land conveyed to the County of Fort Bend, as recorded in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for corner;

THENCE, North 02° 33' 17" West with the west line of said County of Fort Bend tract, at a distance of 213.19 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing for a total distance of 414.35 feet to a point for a south corner and POINT OF BEGINNING of this tract;

THENCE the following courses and distances with the north line of Cottonwood Slough:

1.) North 32° 21' 49" West—134.59 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

2.) In a northwesterly direction with a curve to the left having a radius of 175.00 feet, a central angel of 44° 24' 58", a length of 135.66 feet, and a chord bearing North 54° 52' 13" West—132.29 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

3.) North 32° 39' 45" West—177.53 feet to a 1-1/4-inch iron pipe found;

THENCE the flowing courses and distances with a line parallel to and approximately 200 feet north of the centerline of an existing canal:

1.) In a southwesterly direction with a curve to the left having a radius of 325.00 feet, a central angel of 38° 59' 02", a length of 221.13 feet, and a chord bearing South 60° 28' 27" West—216.89 feet to a 1-1/4-inch iron pipe found;

2.) South 41° 01' 32" West—1,644.35 feet to a 1-1/4-inch iron pipe found;

3.) In a westerly direction with a curve to the right having a radius of 516.80 feet, a central angel of 61° 36' 54", a length of 555.76 feet, and a chord bearing South 71° 50' 37" West—529.36 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

4.) North 77° 20' 57" West—288.00 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

5.) In a northwesterly direction with a curve to the right having a radius of 771.50 feet, a central angel of 21° 11' 00", a length of 285.24 feet, and a chord bearing North 66° 45' 27" West—283.62 feet to a 1-1/4-inch iron pipe found;

6.) North 56° 09' 57" West—1,498.21 feet to a 1-1/4-inch iron pipe found;

7.) In a northwesterly direction with a curve to the left having a radius of 816.50 feet, a central angel of 13° 11' 30", a length of 187.99 feet, and a chord bearing North 62° 35' 06" West—187.57 feet to a 1-1/4-inch iron pipe found;

8.) North 69° 18' 32" West—368.65 feet to a 1/2-inch iron pipe found;

9.) North 72° 04' 49" West—1,006.13 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set to replace a disturbed 1-1/4-inch iron pipe found for a southwest corner of this tract;

THENCE, North 01° 00' 37" West—417.97 feet with the east line of Gulf Coast Water Authority Pumping Station, as recorded in Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend County Deed Records to a 3/4-inch iron pipe found for an interior corner of this tract;

THENCE, North 82° 42' 48" West —447.90 feet with the north line of said Gulf Coast Water Authority Pumping Station to a 3/4-inch iron pipe found for an angle point of this tract;

THENCE, North 78° 57' 13" West with the north line of said Gulf Coast Water Authority Pumping Station, at a distance of 485.02 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing for a total distance of 585.02 feet to a point for a west corner of this tract;

THENCE, North 73° 20' 40" East —477.14 feet with the south line of a tract of land conveyed to Transcontinental Gas Pipeline Corporation, as recorded in Volume 272, Page 532 of the Fort Bend County Deed Records, at a distance of 100 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing for a total distance of 477.14 feet to a 1/2-inch iron pipe found for an interior corner of this tract;

THENCE, North 16° 39' 20" West—150.00 feet with the east line of said Transcontinental Gas Pipeline Corporation tract to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior corner of this tract; from which a 1/2-inch iron pipe found bears North 75° 16' 06" East -7.39 feet; also from which a 3/4-inch iron pipe found bears North 75° 06' 23" West—25.71 feet;

THENCE, South 73° 20' 40" West with the north line of said Transcontinental Gas Pipeline Corporation tract, at a distance of 443.79 feet pass a 5/8-inch iron rod with cap stamped "T.E.A.M." set and continuing for a total distance of 543.79 feet to a point in the lowest bank of the Brazos River at the mature vegetation growth for a southwest corner of this tract;

THENCE, the following two courses and distances along the lowest bank of the Brazos River at the mature vegetation growth:

- 1.) North 28° 02' 36" West —416.20 feet to a point;
- 2.) North 22° 27' 03" West—405.70 feet to a point in the centerline of Fulshear Creek;

THENCE, with the centerline of said Fulshear Creek the following twenty four courses and distances:

- 1.) North 05° 49' 46" East—100.03 feet to a point;
- 2.) North 10° 15' 10" East—49.43 feet to a point;
- 3.) North 01° 08' 50" West—153.09 feet to a point;
- 4.) North 17° 00' 01" West—61.41 feet to a point;
- 5.) North 26° 45' 17" West—239.18 feet to a point;
- 6.) North 01° 17' 17" East—113.22 feet to a point;
- 7.) North 24° 32' 42" East—108.82 feet to a point;
- 8.) North 37° 42' 16" East—136.42 feet to a point;
- 9.) North 56° 21' 03" East—94.64 feet to a point;
- 10.) North 75° 04' 37" East—115.64 feet to a point;
- 11.) North 58° 04' 04" East—72.09 feet to a point;
- 12.) North 16° 14' 40" East—41.14 feet to a point;
- 13.) North 06° 12' 56" West—65.26 feet to a point;
- 14.) North 19° 51' 43" West—35.03 feet to a point;
- 15.) North 29° 54' 57" West—25.60 feet to a point;
- 16.) North 17° 09' 05" West—64.07 feet to a point;
- 17.) North 07° 30' 33" West—113.18 feet to a point;
- 18.) North 20° 21' 38" West—145.53 feet to a point;
- 19.) North 23° 57' 03" West—80.13 feet to a point;
- 20.) North 30° 00' 50" West—152.00 feet to a point;

- 21.) North 19° 40' 07" West—45.93 feet to a point;
- 22.) North 02° 27' 59" East—92.84 feet to a point;
- 23.) North 05° 08' 30" West—139.91 feet to a point;
- 24.) North 15° 23' 49" East—67.42 feet to a point for a northwest corner of this tract;

THENCE, North 89° 40' 14" East, at a distance of 159.51 feet pass a car axle found and continuing for a total distance of 655.88 feet with the south line of a tract of land conveyed to Jeffrey Jacob Schaatt, as recorded in Fort Bend County Clerk's File No. 9440230 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an angle point of this tract;

THENCE, North 88° 58' 48" East—633.16 feet with the south line of a 9.44 acre tract, as surveyed by Charlie Kalkomey, RPLS No. 1399, on October 16, 2003, to a flat iron bar found for an interior corner of this tract;

THENCE, North 01° 31' 53" West—451.97 feet with the east line of said 9.44 acre tract to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a northwest corner of this tract; from which a 3/4-inch iron pipe found bears North 68° 23' 31" East—1.21 feet;

THENCE, North 68° 23' 31" East—669.50 feet with the south line of a 38.27 acre tract conveyed to Dan J. Harrison, Jr., as recorded in Volume 512, Page 107 of the Fort Bend County Deed Records to a 3/4-inch iron pipe found for an angle point of this tract;

THENCE, North 69° 32' 30" East—155.02 feet with the south line of a 18.35 acre tract of land conveyed to Dan J. Harrison, Jr, as recorded in Volume 512, Page 110 of the Fort Bend County Deed Records and with the south line of a 2.83 acre tract of land conveyed to Harrison Interests, Ltd., as recorded in Fort Bend County Clerk's File No. 9669126 to a 3/4-inch iron pipe found for an angle point of this tract;

THENCE, North 87° 47' 02" East—378.33 feet with the south line of said Harrison Interests, Ltd. tract and with the south line of a 1.0 acre tract of land conveyed to Dan J. Harrison III, as recorded in Fort Bend County Clerk's File No. 2007136540 to a 1-1/4-inch iron pipe found for a northeast corner of this tract;

THENCE, South 01° 35' 13" East with the west line of a tract of land conveyed to Derrick B. Woods and Gloria Kelly, as recorded in Fort Bend County Clerk's File No. 2007013056, at a distance of 750.90 feet pass a 3/4-inch iron pipe found and continuing for a total distance of 1,478.13 feet with the west line of a tract of land conveyed to Laura Monroe, as recorded in Fort Bend County Clerk's File No. 2002085617 to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior corner of this tract;

THENCE, North 88° 15' 42" East with the south line of said Laura Monroe tract, at a distance of 654.48 feet pass a 5/8-inch iron rod with cap stamped "1943 4349" found and continuing for a total distance of 773.44 feet to a 5/8-inch iron rod with cap stamped "1943 4349" found for a northeast corner of this tract; from which a 1- 1/4-inch iron pipe found bears South 78° 16' 03" West—6.68 feet;

THENCE, South 00° 48' 50" East—905.14 feet with the west line of a tract of land conveyed to Kimberly J. Renshaw, Trustee, as recorded in Fort Bend County Clerk's File No. 2003116900 and as surveyed by C. Tim Griffith, RPLS No. 4349 on December 09, 2002, to a 5/8-inch iron rod with cap stamped "1048 4948" found for an interior corner of this tract; from which a 1-1/4-inch iron pipe found bears South 83° 55' 10" West—15.65 feet;

THENCE, North 88° 14' 41" East—529.27 feet with the south line of said Kimberly J. Renshaw tract, as surveyed by said C. Tim Griffith to a 5/8-inch iron rod found for an interior corner of this tract; from which a 1- inch iron pipe found bears South 71° 00' 07" West—9.87 feet;

THENCE, North 00° 48' 32" West with the east line of said Kimberly J. Renshaw tract, as surveyed by said C. Tim Griffith, at a distance of 904.99 feet pass a 5/8-inch iron rod with cap stamped "Kaluza" found and continuing for a total distance of 1,631.92 feet to a 3/4-inch iron rod found for an angle point of this tract;

THENCE, North 00° 23' 13" West—525.84 feet with the east line of said Derrick B. Woods and Gloria Kelly tract to a 1-1/4-inch iron pipe found in the south right-of-way line of Red Bird Lane for a northwest corner of this tract;

THENCE, North 83° 40' 55" East—627.27 feet with the south right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe found for an angle point of this tract;

THENCE, North 80° 56' 53" East—340.41 feet with the south right-of-way line of said Red Bird Lane to a 3/4-inch iron pipe found for an angle point of this tract;

THENCE, North 69° 57' 23" East—213.19 feet with the south right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe found for an angle point of this tract;

THENCE, North 88° 34' 50" East—754.52 feet with the south right-of-way line of said Red Bird Lane to a 1-1/4-inch iron pipe found for a northeast corner of this tract; from which a 3/4-inch iron pipe found bears North 13° 42' 36" East—28.03 feet

THENCE, South 00° 49' 07" East—152.65 feet to a point in Cottonwood Slough for an interior corner of this tract;

THENCE, North 89° 11' 54" East—516.40 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a northeast corner of this tract;

THENCE, South 01° 11' 18" East—178.00 feet with the west line said Pleasant Hill Cemetery, as recorded in Fort Bend County Clerk's File No. 2002098914 to a point in Cottonwood Creek for an interior corner of this tract;

THENCE, North 83° 23' 44" East—489.40 feet with the south line of said Pleasant Hill Cemetery to a 1-1/4-inch iron pipe found for a northeast corner of this tract;

THENCE, South 00° 31' 15" East—2,678.08 feet with the east line of said 635.1725 acre tract and with the west right-of-way line of Bois D'Arc Lane to a 1-1/4-inch iron pipe found for an angle point of this tract;

THENCE, South 02° 20' 36" East feet with the east line of said 635.1725 acre tract and with the west right-of-way line of said Bois D'Arc Lane, at a distance of 1,32.24 feet pass a 3/4-inch iron pipe found and continuing for a total distance of 1,702.81 feet to a TXDOT monument disk found for a southeast corner of this tract;

THENCE, South 87° 26' 43" West—37.53 feet with the north line of said County of Fort Bend tract to a TXDOT monument disk found for an interior corner of this tract;

THENCE, South 02° 33' 17" East—7.65 feet with the west line of said County of Fort Bend tract to the POINT OF BEGINNING and containing 636.76 acres

SECTION 2.03. FULSHEAR MUNICIPAL UTILITY DISTRICT NO. 6. The Fulshear Municipal Utility District No. 6 initially includes all the territory contained in the following area:

A FIELD NOTE DESCRIPTION of a 631.62 acre tract of land in the D. Randon & I. Pennington Survey, Abstract No. 75, and in the Churchill Fulshear Survey, Abstract No. 29, Fort Bend County, Texas; said 631.62 acre tract being all of called 200.013 acre tract of land conveyed to Highland Management, Inc., as recorded in Volume 1089, Page 165 of the Fort Bend County Deed Records, and being out of a called 514.321 acre tract of land conveyed to Highland Management, Inc., as recorded in Volume 801, Page 410 of the Fort Bend County Deed Records; said tract being more particularly described by metes-and-bounds as follows with the bearings being based on Texas State Plane Coordinate System, South Central Zone (NAD83) per GPS Observations using National Geodetic Survey Continuously Operating Reference Stations:

BEGINNING at a fence post found for the northeast corner of said called 514.321 acre tract for a northeast corner of this tract;

THENCE, South 01° 42' 53" East—5,953.33 feet with the east line of said 514.321 acre tract to a point for a southeast corner of this tract; from which a 5/8-inch iron rod with cap stamped "T.E.A.M." set bears South 01° 42' 53" East—1,411.13 feet;

THENCE, South 89° 17' 07" West—1,992.07 feet to a point in the lowest bank of the Brazos River at the mature vegetation growth for the southwest corner of this tract;

THENCE, the following courses and distances along the lowest bank of the Brazos River at the mature vegetation growth:

1. North 03° 11' 41" West—430.76 feet;
2. North 06° 04' 31" East—26.26 feet;
3. North 12° 54' 35" West—565.76 feet;
4. North 22° 25' 36" West—644.88 feet;
5. North 27° 40' 58" West—307.69 feet;
6. North 29° 38' 28" West—437.35 feet;
7. North 31° 48' 49" West—627.73 feet;
8. North 38° 31' 29" West—562.58 feet;
9. North 46° 01' 27" West—449.81 feet;
10. North 45° 15' 08" West—697.67 feet;
11. North 48° 07' 57" West—497.49 feet;
12. North 50° 57' 15" West—593.34 feet;
13. North 68° 49' 05" West—424.90 feet;
14. North 53° 29' 12" West—562.34 feet;
15. North 34° 16' 18" West—808.37 feet;
16. North 15° 44' 19" West—467.54 feet to a point for a northwest corner of this tract;

THENCE, North 87° 31' 50" East—1,007.16 feet with the south line of a Gulf Coast Water Authority Pumping Station, as recorded in Volume 138, Page 170 and Volume 121, Page 301 of the Fort Bend County Deed Records to a 3/4-inch iron pipe found for an interior corner of this tract;

THENCE, North 03° 56' 57" West—625.49 feet with the east line of said Gulf Coast Water Authority Pumping Station and with the west line of said 200.013 acre tract to a 3/4-inch iron pipe found for an angle point of this tract;

THENCE, North 05° 00' 40" West—776.08 feet with the east line of said Gulf Coast Water Authority Pumping Station and with the west line of said 200.013 acre tract to a point in a 54-inch pecan tree for an angle point of this tract;

THENCE, North 17° 29' 55" East—43.79 feet with the east line of said Gulf Coast Water Authority Pumping Station and with the west line of said 200.013 acre tract to a fence post found for an angle point of this tract;

THENCE, North 00° 21' 32" West—46.08 feet with the east line of said Gulf Coast Water Authority Pumping Station and with the west line of said 200.013 acre tract to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for a northwest corner of this tract; from which a 1/2-inch iron pipe found bears South 00° 21' 32" East—7.66 feet;

THENCE, the following ten courses and distances with a line parallel to and approximately 50 feet south of the centerline of an existing canal:

- 1.) South 72° 04' 49" East—894.48 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;
- 2.) South 69° 18' 32" East—362.30 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;
- 3.) In a southeasterly direction with a curve to the right having a radius of 566.50 feet, a central angle of 13° 12' 05", a length of 130.53 feet and a chord bearing South 62° 33' 16" East—130.24 feet;
- 4.) South 56° 09' 57" East—1,498.63 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;
- 5.) In a southeasterly direction with a curve to the left having a radius of 1,021.50

feet, a central angle of  $21^{\circ} 11' 00''$ , a length of 377.67 feet and a chord bearing South  $66^{\circ} 45' 27''$  East—375.52 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

6.) South  $77^{\circ} 20' 57''$  East—288.00 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

7.) In a northeasterly direction with a curve to the left having a radius of 766.80 feet, a central angle of  $61^{\circ} 38' 12''$ , a length of 824.90 feet and a chord bearing North  $71^{\circ} 49' 58''$  East—785.69 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

8.) North  $41^{\circ} 01' 32''$  East—1,644.40 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

9.) In an easterly direction with a curve to the right having a radius of 75.00 feet, a central angle of  $106^{\circ} 36' 38''$ , a length of 139.55 feet and a chord bearing South  $85^{\circ} 40' 08''$  East—120.27 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set;

10.) South  $32^{\circ} 21' 49''$  East—308.27 feet to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an angle point;

THENCE, South  $02^{\circ} 33' 17''$  East—213.19 feet with the west line of a tract of land conveyed to the County of Fort Bend, as recorded in Volume 2205, Page 1910 of the Fort Bend County Deed Records to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an interior corner of this tract;

THENCE, North  $87^{\circ} 26' 43''$  East—48.23 feet to a TXDOT disk found for a northeast corner of this tract;

THENCE, South  $04^{\circ} 04' 05''$  East—116.45 feet with the east line of said 200.013 acre tract and with the west right-of-way line Montgomery Road to a 5/8-inch iron rod with cap stamped "T.E.A.M." set for an angle point of this tract;

THENCE, South  $01^{\circ} 12' 55''$  East—1,244.75 feet with the east line of said 200.013 acre tract and with the west right-of-way line Montgomery Road to a fence post broken off at ground level found for the southeast corner of said 200.013 acre tract and for an interior corner of this tract;

THENCE, North  $88^{\circ} 42' 45''$  East—40.00 feet with the north line of said 514.321 acre tract to the POINT OF BEGINNING and containing 631.62 acres of land.

### ARTICLE 3. LEGAL NOTICE, EMINENT DOMAIN, AND EFFECTIVE DATE

SECTION 3.01. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 3.02. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8494, Special District Local Laws Code, as added by Section 1.01 of this Act, is amended by adding Section 8494.106 to read as follows:

*Sec. 8494.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.



SECTION 3.03. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8495, Special District Local Laws Code, as added by Section 1.02 of this Act, is amended by adding Section 8495.107 to read as follows:

*Sec. 8495.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 3.04. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8496, Special District Local Laws Code, as added by Section 1.03 of this Act, is amended by adding Section 8496.107 to read as follows:

*Sec. 8496.107. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.*

(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 3.05. This Act takes effect September 1, 2015.

Passed by the House on April 30, 2015: Yeas 139, Nays 0, 1 present, not voting;  
passed by the Senate on May 27, 2015: Yeas 30, Nays 1.

Filed without signature June 18, 2015.

Effective September 1, 2015.

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## **CREATION AND OPERATIONS OF HEALTH CARE PROVIDER PARTICIPATION PROGRAMS IN CERTAIN COUNTIES**

### **CHAPTER 867**

H.B. No. 2280

#### **AN ACT**

**relating to the creation and operations of health care provider participation programs in certain counties.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subtitle D, Title 4, Health and Safety Code, is amended by adding Chapter 291 to read as follows:

### **CHAPTER 291. COUNTY HEALTH CARE PROVIDER PARTICIPATION PROGRAM IN CERTAIN COUNTIES IN THE TEXAS-LOUISIANA BORDER REGION**

#### **SUBCHAPTER A. GENERAL PROVISIONS**

Sec. 291.001. **DEFINITIONS.** *In this chapter:*

(1) "Institutional health care provider" means a nonpublic hospital that provides inpatient hospital services.

(2) "Paying hospital" means an institutional health care provider required to make a mandatory payment under this chapter.

(3) "Program" means the county health care provider participation program authorized by this chapter.

Sec. 291.002. **APPLICABILITY.** *This chapter applies only to a county that:*

(1) is not served by a hospital district or a public hospital;